Dear Julie:

Overall, with the proposed revisions, the Model Ordinance has ceased to be a landscape water efficiency ordinance and has become a point-in-time, prescriptive sustainable landscape ordinance. It is now so bloated with complex, unenforceable mandates and prescriptions that must be followed that no entities will adopt it and it will have zero impact on landscape water conservation. TIered water pricing and other less complicated and proven effective approaches to conserving landscape water will render MWELO obsolete shortly. So, the MWELO language and scope should be greatly simplified from the current version to simply set a maximum water budget (MAWA) per landscape that is based on square feet of landscape area, ETo and a reasonable ETo adjustment factor of 0.5 with an allowance 1.0 for sports fields, parks, etc. There should be no requirement for calculating ETWU and no hydrozone water needs calculations, rather require a dedicated water meter to assure compliance with the water budget. Allow designers, site owners, and landscape managers to be creative in how they make the maximum water budget work to their expectations for the landscape area.

However, I assume that such a drastic simplification will not be an acceptable approach, so I have the following comments on the current draft MWELO.

1. The new Purpose language in 490 (c) has little to nothing to do with the purpose of a landscape water conservation ordinance and is really about sustainable landscaping or landscape ecology. Further, the "goals" here are in many ways at odds with the severe reduction in landscape water budgets set in this draft. The new water budgets will have the net effect of greatly limiting future plant palettes and urban plant canopies in general, especially fewer large dense shade trees and less turfgrass which are highly effective in cooling urban areas and sequestering carbon, and in turn result in reduced carbon storage and less cooling shade in urban areas. Simply put, the severe water budget curtailments likely will not support the plant canopy cover needed in order to achieve the stated goals.

2. Section 491 (bb), Irrigation Efficiency (IE) is correctly defined as "the measurement of the amount of water beneficially used divided by the amount of water applied". By this definition, it is technically possible to achieve the IE targets of 0.85 and 0.92 because this is NOT distribution uniformity (DU). IE is a function of how much applied water ends up being used by the plant. It accounts for water that runs off the site, percolates below the root zone, and misses the planted area altogether as in over spray. These losses, and therefore IE, are extremely difficult to measure and are not part of a standard landscape irrigation audit. However, the ETWU seems to use IE like DU is normally used, and this is not honest. DWR needs to justify setting IE at 0.85 and 0.92 with data, other wise the ETWU calculations are not realistically achievable. Why not use DU instead of IE, and set DU at 0.7-0.75? DU is part of landscape irrigation audits and is defensible.

3. Section 491 (aaaa), please correct the attribution of WUCOLS to read something like: "developed by University of California for publication by the Department of Water Resources". This is not an official UC Cooperative Extension publication because official publications have been copyright UC Regents and are subject to a standardized peer review process, and WUCOLS has not.

4. Section 492.4, b(1), suggest reword to "The plant factor used shall be obtained from horticultural researchers with academic institutions, horticultural industry associations, national standards, or other scientific data bases as approved by DWR." Then, provide a list of DWR approved plant factor sources. THere is no defensible bsis for enumerating and relying predominantly on WUCOLS.

Sincerely,

Dennis Pittenger
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